

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

Granite Rock Company,

NO. C 04-02767 JW

Plaintiff,

**INTERLOCUTORY JUDGMENT**

v.

Teamsters Local 287,

Defendant.

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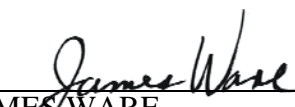
This is an action by Plaintiff Granite Rock Company against Defendant Teamsters Local 287 for breach of a Collective Bargaining Agreement pursuant to Section 301(a) of the Labor Management Relations Act 29 U.S.C. §185(a). The Court bifurcated for separate determination the issue of whether the Tentative Agreement had been ratified. The issue of ratification was tried to a jury. On May 3, 2007, the jury returned its verdict as follows: on July 2, 2004, a vote was taken by the employees of Granite Rock's San Jose Concrete facility, who were members of Local 287. A majority of the employees voted to accept the Tentative Agreement.

On the basis of the jury verdict, interlocutory judgment is entered that on July 2, 2004 the Tentative Agreement was ratified by the members of Teamsters Local 287.

On a separate issue submitted to the jury, the jury found that on July 2, 2004 Granite Rock did not prove by a preponderance of the evidence that Mr. George Netto notified Mr. Bruce Woolpert that the Tentative Agreement had been ratified by the members of Local 287. No interlocutory judgment is entered at this time with respect to this finding.

This Interlocutory Judgment shall govern further proceedings in this case.

Dated: May 17, 2007

  
\_\_\_\_\_  
JAMES WARE  
United States District Judge

**THIS IS TO CERTIFY THAT COPIES OF THIS ORDER HAVE BEEN DELIVERED TO:**

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**Dated: May 17, 2007**

**Richard W. Wieking, Clerk**

**By: /s/ JW Chambers**  
**Elizabeth Garcia**  
**Courtroom Deputy**